

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### *Status of Claims:*

No claims are currently being added or cancelled.

Claims 14 and 15 are currently being amended.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-6 and 8-15 are pending in this application.

### *Indication of Allowable Subject Matter:*

Applicant appreciates the indication in the Office Action that claims 1-6 and 8-13 are allowed.

### *Claim Objections:*

In the Office Action, claims 14 and 15 were objected to, because of informalities noted on page 2 of the Office Action. By way of this amendment and reply, claims 14 and 15 have been amended to be in conformance with “recording medium” claims.

### *Claim Rejections- Written Description:*

In the Office Action, claims 14 and 15 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, for the reasons set forth on page 2 of the Office Action. In reply, claims 14 and 15 have been amended to recite a “recording medium”, as described, for example, on page 13, lines 22-29 of the specification. Accordingly, presently pending claims 14 and 15 now fully comply with 35 U.S.C. § 112, first paragraph.

**Claim Rejections – Non-Statutory Subject Matter:**

In the Office Action, claims 14 and 15 were rejected under 35 U.S.C. § 101, as being directed to non-statutory subject matter, for the reasons set forth on page 3 of the Office Action. By way of this amendment and reply, claims 14 and 15 have been amended to recite a “recording medium”, which is executable by a computer, whereby such claims are believed to be compliant to U.S. Patent rules regarding such claims.

**Conclusion:**

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 28, 2008

By Phillip J. Articola

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6014  
Facsimile: (202) 672-5399

George C. Beck  
Attorney for Applicant  
Registration No. 38,072

Phillip J. Articola  
Registration No. 38,819